

STAFF REPORT

Meeting Date: July 20, 2005

TO: LAFCO Commissioners

FROM: Everett Millais, Executive Officer

SUBJECT: Sphere of Influence Review and Update
LAFCO 05-13 1 Ventura County Waterworks District No. 1
LAFCO 05-13 2 Ventura County Waterworks District No. 8

RECOMMENDATION:

- A. As lead agency, determine that the sphere of influence update for Ventura County Waterworks District No. 1 is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines and adopt the attached resolution (LAFCO 05-13S 1) making determinations and updating the sphere of influence for Ventura County Waterworks District No. 1.
- B. As lead agency, determine that the sphere of influence update for Ventura County Waterworks District No. 8 is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines and adopt the attached resolution (LAFCO 05-13S 2) making determinations and updating the sphere of influence for Ventura County Waterworks District No. 8.

DISCUSSION:

For each city and special district LAFCO must determine and adopt a sphere of influence and, "...review and update, as necessary, the adopted sphere not less than once every five years." (CA Government Code §56430(f)). In order to prepare and update spheres of influence LAFCO must conduct municipal service reviews. During 2003 the Commission conducted water and wastewater service reviews for the 36 agencies (cities and special districts) in the County that provide some form of water

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and/or wastewater services. Based on the water and wastewater service review reports and on-going follow-up review and discussion with the staff of each subject agency, sphere of influence updates are recommended for Ventura County Waterworks District No. 1 and Ventura County Waterworks District No. 8

Ventura County Waterworks District No. 1

Ventura County Waterworks District No. 1 is a dependent District governed by the Ventura County Board of Supervisors. Waterworks District No. 1 provides potable, retail water and wastewater collection and treatment services to the City of Moorpark and adjacent unincorporated areas.

The municipal service review for Waterworks District No. 1 was included with the water and wastewater services reviewed for the Calleguas Creek Watershed area and was completed in 2003. LAFCO initially reviewed the sphere of influence for Waterworks District No. 1 in February 2004. At that time no sphere of influence update was deemed necessary. However, as a part of the sphere of influence review of Ventura County Waterworks District No. 8 it was found that the sphere of influence of Waterworks District No. 1 overlaps the sphere of influence of Waterworks District No. 8 for an area of approximately 121 acres located south of West Los Angeles Avenue where the City of Moorpark and the City of Simi Valley boundaries adjoin. The area consists of two privately owned agricultural parcels and a small portion of property owned by the Ventura County Watershed Protection District.

To correct this overlap of spheres of influence of two districts that provide water service, it is recommended that the sphere of influence of Waterworks District No. 1 be updated to entirely remove the overlap area from the Waterworks District No. 1 sphere of influence. The overlap area is not within the boundaries of Waterworks District No. 1, and receives no services from Waterworks District No. 1. The overlap area is, however within the boundaries (and CURB line) of the City of Simi Valley and is within the boundaries and sphere of influence of Waterworks District No. 8. Thus, the logical water service provider to this area now and in the future is Waterworks District No. 8.

For CEQA purposes, it is recommended that the Commission as lead agency find the Ventura County Waterworks District No. 1 sphere of influence update exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the so-called "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The reduction of the sphere of influence of Waterworks District No. 1 by approximately 121 acres will have no effect on land use or service and will not result in any development. Waterworks District No. 1 has no land use authority and the area involved is entirely within the boundaries of the City of Simi Valley and Ventura County Waterworks District No. 8.

When determining an agency's sphere of influence Government Code Section 56425(d) requires the Commission to consider and prepare written statements of its determinations with respect to each of the following:

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for Ventura County Waterworks District No. 1 is to ensure that the District's sphere does not include areas within the sphere of influence of the boundaries of Ventura County Waterworks District No. 8 and the City of Simi Valley. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the District will result from this sphere of influence update. The District does not provide any service and has no facilities or plans to enable it to provide service to the area being removed from its sphere of influence as a part of this sphere of influence update.
- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the services provided by Ventura County Waterworks District No. 1.
- (4) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will provide for the Ventura County Waterworks District No 1 sphere of influence to better coincide with the City of Moorpark's social and economic community of interest.

Ventura County Waterworks District No. 8

Ventura County Waterworks District No. 8 is a dependent special district that is governed by the City of Simi Valley City Council. Waterworks District No. 8 provides potable, retail water service to the approximately 60% of the City of Simi Valley and to adjoining unincorporated areas. The areas within the City of Simi Valley not served by Waterworks District No. 8 receive water service from Southern California Water Company, a private water utility regulated by the California Public Utilities Commission.

The municipal service review for Waterworks District No. 8 was included with the water and wastewater services reviewed for the Calleguas Creek Watershed area and was completed in 2003. The municipal service review noted a possible government structure option of having the City of Simi Valley directly handle all water and wastewater services for the City, but indicated several disadvantages and barriers for this to occur, including the lack of ability to integrate the Southern California Water Company's service area with the services that might be provided by the City as a successor agency to the District.

The recommended sphere of influence update for Waterworks District No. 8 provides for expanding the District's sphere by approximately 3,123 acres. This recommended sphere of influence expansion provides for all areas that are currently receiving service from the District and for all areas within the CURB of the City of Simi Valley, except the recently annexed Runkle Canyon area at the terminus of Sequoia Avenue at the southerly boundary of the City, to be included in the sphere. The Runkle Canyon area would remain outside the recommended updated sphere of influence for the District as it is part of the service area for Southern California Water Company.

For CEQA purposes, it is recommended that the Commission as lead agency find the Ventura County Waterworks District No. 8 sphere of influence update exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines. This is the so-called "general rule" exemption, meaning that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. While the recommended sphere of influence update includes substantial additional acreage, some of the areas involved are already receiving service from the District (e.g. the area around the Reagan Library) and the other areas are being recommended solely to have the Waterworks 8 sphere of influence coincide with the City's CURB. There will be no development, no change in land use and no impact on agricultural or open space lands as a result of the recommended sphere of influence update. Further, there will be no changes in public facilities or services provided by the District that will result from this sphere of influence update. The District has no land use authority and bases its public facilities and services on the City of Simi Valley's General Plan that includes all areas within the City's CURB. Changes will only occur in the future based on subsequent development entitlements that may be granted by the City of Simi Valley.

Pursuant to Government Code Section 56425(d) it is recommended that the Commission to consider and adopt written statements of its determinations with respect to each of the following:

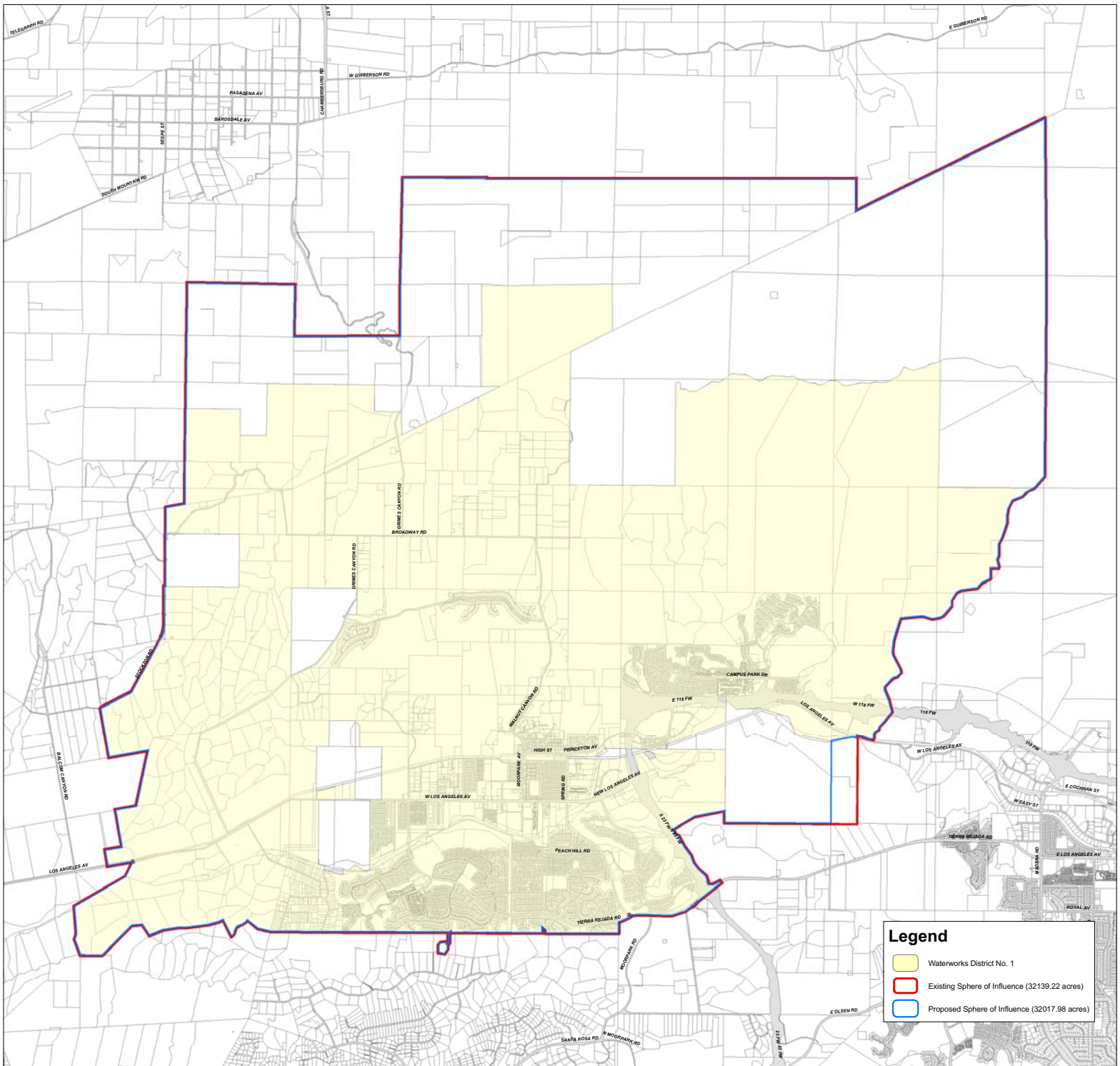
- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for Ventura County Waterworks District No. 8 is to provide for all areas currently being served by the District and all areas within the City of Simi Valley's CURB boundary, except the Runkle Canyon area at the terminus of Sequoia Avenue, to be included in the District's sphere of influence. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
- (2) *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the District will result from this sphere of influence update. The District bases its public facilities and services on the City of Simi Valley's General Plan that includes all areas within the City's CURB. It is probable that there will be a need for District services in the future to

all areas within the City's CURB based on future development entitlements that may be granted by the City of Simi Valley.

- (3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by Ventura County Waterworks District No. 8.
- (4) *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will provide for the Ventura County Waterworks District No 8 sphere of influence to better coincide with the City of Simi Valley's social and economic community of interest.

Attachments:

- 1. Map of the existing and proposed sphere of influence for Ventura County Waterworks District No. 1.
- 2. Map of the existing and proposed sphere of influence for Ventura County Waterworks District No. 8, also including the City of Simi Valley's boundary, sphere of influence and CURB information.
- 3. LAFCO Resolution 05-13S 1 – Sphere of Influence Update for Ventura County Waterworks District No. 1.
- 4. LAFCO Resolution 05-13S 2 – Sphere of Influence Update for Ventura County Waterworks District No. 8.



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Ventura LAFCO Sphere of Influence Update - Draft Waterworks District No. 1

Prepared by County of Ventura - Information Systems Department - GIS Division



1,800 0 1,800 3,600 5,400 Feet
1 inch equals 1,800 feet

LAFCO 05-13S 1

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR VENTURA COUNTY WATERWORKS
DISTRICT NO. 1**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code Section 56425(f) requires that LAFCO review and update the adopted sphere of influence boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update, and

WHEREAS, LAFCO conducted a municipal service review of the services provided by Ventura County Waterworks District No. 1 and adopted written determinations as required by Government Code Section 56430 on September 17, 2003; and

WHEREAS, LAFCO initially reviewed the sphere of influence for Ventura County Waterworks District No. 1 in February 2004 and determined that no update was necessary, but during a subsequent review it was found that the sphere of influence for Waterworks District No. 1 overlaps with the sphere of influence of Ventura County Waterworks District No. 8, another water service provider; and

WHEREAS, the staff of Ventura County Waterworks District No. 1 has reviewed the area of sphere of influence overlap with Waterworks District No. 8 and determined that the area involved is not being served by Waterworks District No. 1; and

WHEREAS, the sphere of influence overlap area with Waterworks District No. 8 is within the boundaries of Waterworks District No. 8 and within the boundaries and City Urban Restriction Boundary (CURB) of the City of Simi Valley and should be removed from the sphere of influence of Ventura County Waterworks District No. 1; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's sphere of influence;

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of this action by the Commission; and

WHEREAS, the sphere of influence update action was duly considered at a public hearing on July 20, 2005; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on July 20, 2005 and the LAFCO Executive Officer's July 20, 2005 staff report and recommendation;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Ventura Local Agency Formation Commission:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for Ventura County Waterworks District No. 1, dated July 20, 2005, is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for Ventura County Waterworks District No. 1 is to ensure that the District's sphere does not include areas within the sphere of influence of the boundaries of Ventura County Waterworks District No. 8 and the City of Simi Valley. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
 - b. *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the District will result from this sphere of influence update. The District does not provide any service and has no facilities or plans to enable it to provide service to the area being removed from its sphere of influence as a part of this sphere of influence update.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the services provided by Ventura County Waterworks District No. 1.
 - d. *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will provide for the Ventura County Waterworks District No 1 sphere of influence to better coincide with the City of Moorpark's social and economic community of interest.

- (3) The sphere of influence for Ventura County Waterworks District No. 1 is hereby updated to include the area shown as "proposed sphere of influence", as generally depicted on Exhibit A attached hereto.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCO by the Ventura County Public Works Agency as the official sphere of influence record Ventura County Waterworks District No. 1 updated consistent with this action.
- (5) The Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for Ventura County Waterworks District No. 1 is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on July 20, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Waterworks District No. 1
Ventura County Waterworks District No. 8
City of Moorpark

LAFCO 05-13S 2

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE UPDATE OF THE SPHERE OF
INFLUENCE FOR VENTURA COUNTY WATERWORKS
DISTRICT NO. 8**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code Section 56425(f) requires that LAFCO review and update the adopted sphere of influence boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code Section 56430 requires that a municipal service review be conducted prior to or in conjunction with a sphere of influence update, and

WHEREAS, LAFCO conducted a municipal service review of the services provided by Ventura County Waterworks District No. 8 and adopted written determinations as required by Government Code Section 56430 on September 17, 2003; and

WHEREAS, both the District staff and LAFCO staff agree that the District's sphere of influence should include all areas currently being served by the District and all areas within the City of Simi Valley's CURB boundary, except the Runkle Canyon area at the southerly terminus of Sequoia Avenue that is served by a private water utility; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's sphere of influence;

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of this action by the Commission; and

WHEREAS, the sphere of influence update action was duly considered at a public hearing on July 20, 2005; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the sphere of influence update including, but not limited to, testimony at the public hearing on July 20, 2005 and the LAFCO Executive Officer's July 20, 2005 staff report and recommendation;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Ventura Local Agency Formation Commission:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the sphere of influence update for Ventura County Waterworks District No. 8, dated July 20, 2005, is adopted.
- (2) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands.* – The sphere of influence update for Ventura County Waterworks District No. 8 is to provide for all areas currently being served by the District and all areas within the City of Simi Valley's CURB boundary, except the Runkle Canyon area at the terminus of Sequoia Avenue, to be included in the District's sphere of influence. There will be no development, no change in land use and no impact to agricultural and open space lands as a result of the sphere of influence update.
 - b. *The present and probable need for public facilities and services in the area.* – No changes in public facilities or services provided by the District will result from this sphere of influence update. The District bases its public facilities and services on the City of Simi Valley's General Plan that includes all areas within the City's CURB. It is probable that there will be a need for District services in the future to all areas within the City's CURB based on future development entitlements that may be granted by the City of Simi Valley.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.* – The sphere of influence update will not affect the present capacity of public facilities or the adequacy of the services provided by Ventura County Waterworks District No. 8.
 - d. *The existence of any social or economic community of interest in the area if the commission determines that they are relevant to the agency.* - The sphere of influence update will provide for the Ventura County Waterworks District No 8 sphere of influence to better coincide with the City of Simi Valley's social and economic community of interest.
- (3) The sphere of influence for Ventura County Waterworks District No. 8 is hereby updated to include the area shown as "proposed sphere of influence", as generally depicted on Exhibit A attached hereto.
- (4) The Commission directs staff to have the official sphere of influence geographic information system data maintained for the Ventura LAFCO by the Ventura County Public Works Agency as the official sphere of

influence record for Ventura County Waterworks District No. 8 updated consistent with this action.

- (5) The Commission, as lead agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the sphere of influence update for Ventura County Waterworks District No. 8 is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines
- (6) The Commission directs staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This resolution was adopted on July 20, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

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City of Simi Valley